



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*86 Chambers Street
New York, New York 10007*

August 3, 2018

By ECF and Electronic Mail

Honorable Analisa Torres
United States District Judge
United States Courthouse
500 Pearl Street
New York, NY 10007

Re: *The New York Times Company and Charlie Savage v. Department of Justice*,
18 Civ. 2054 (AT)

Dear Judge Torres:

This Office represents defendant Department of Justice ("DOJ") in the above-referenced matter, which was brought pursuant to the Freedom of Information Act, 5 U.S.C. § 552 ("FOIA"). In accordance with the Court's April 10, 2018, scheduling order, *see* Dkt. No. 11, we write respectfully on behalf of all parties to provide a status report.

On July 20, 2018, DOJ completed processing and production of all non-exempt records responsive to the FOIA request at issue here, which sought production of "documents submitted by DOJ to the [Foreign Intelligence Surveillance Court ("FISC")], and orders or other documents issued by the FISC, in connection with the [Foreign Intelligence Surveillance Act] order targeting Carter Page issued in October 2016, as well as its extensions, the existence of which and certain details of which were declassified by President Trump in connection to the [House Permanent Select Committee on Intelligence] memo [of February 2, 2018]." Specifically, 589 pages were reviewed and 412 pages were released in whole or in part. This same set of records was released to plaintiffs in five other FOIA lawsuits pending in various United States District Courts, including one other action in this District; one in the United States District Court for the Eastern District of New York; two in the United States District Court for the District of Columbia; and one in the United States District Court for the Northern District of California.

The parties have met and conferred regarding the appropriate next steps, and have reached an agreement pursuant to which Plaintiffs intend to discontinue this action without need for further litigation. The parties are finalizing the precise language of this agreement, and expect to submit the necessary documentation to the Court no later than August 10, 2018.

We thank the Court for its consideration of this matter.

Respectfully submitted,

GEOFFREY S. BERMAN
United States Attorney for the
Southern District of New York

By: /s/ Andrew E. Krause
ANDREW E. KRAUSE
Assistant United States Attorney
Telephone: 212-637-2769
Facsimile: 212-637-2786
E-mail: andrew.krause@usdoj.gov

cc: All counsel of record via ECF